

## **THE DYMALLY-ALATORRE BILINGUAL SERVICES ACT – PART I BY DON GONZALES, L.C.S.W., LACDMH**

The legislation for the provision of bilingual services within state, county, and municipal governments was enacted in 1973 by the California State Legislature and amended in 2007. This piece of legislation commonly known as “The Dymally-Alatorre Bilingual Services Act” (California Codes-Government Code-Section 7290-7299.8) remains current and active to this day. It became the driving force for the implementation of bilingual services in all California counties.

The background for this legislation is documented within the code itself, which states “that substantial numbers of persons who live, work and pay taxes in the state are unable, either because they do not speak or write English at all, or because their primary language is other than English, effectively to communicate with their government. The Legislature further finds and declares that state and local agency employees are unable to communicate with persons requiring their services because of this language barrier. As a consequence, substantial numbers of persons presently are being denied rights and benefits to which they would otherwise be entitled. It is the intention of the Legislature in enacting this chapter to provide for effective communication between all levels of government in the state and the people of this state who are precluded from utilizing public services because of language barriers.”

This legislation provided a definition for those “qualified” to be considered bilingual. The qualification requirements were specific to state employees but the local agencies, such as the County of Los Angeles, were allowed to define “qualified” at their discretion. At a minimum, the definition of “qualified” is as follows:

- A person who has “tested and certified” and is “proficient” in the ability to understand, communicate and convey in English and non-English language commonly used terms and ideas as well as provide basic interpreter services.

Each public agency is required to employ a sufficient number of qualified staff to meet the needs of their non-English speaking population. The determination of employing a sufficient number of staff is left to the discretion of the local agencies. As such, the quantity as well as the quality of bilingual staff for each local agency is within the authority of the local agency.

The legislation also included the translation as well as the distribution of material that explains services provided both in the needed language as well as maintaining the English version of what was distributed or acknowledged by the non-English speaking individual.